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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/007,807 | 12/05/2001 | Hideyuki Takeda | NAK1-BQ68 | 8576 |
| 21611 | 7590 | 10/31/2006 | EXAMINER | |
| SNELL & WILMER LLP 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626 | | | BENGZON, GREG C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2144 | |

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/007,807 | Applicant(s) TAKEDA, HIDEYUKI | |
| | Examiner Greg Bengzon | Art Unit 2144 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,9-20 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,9-20 and 27-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060605</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 1, 4-7, 9-20, and 27-32 are pending.

Priority

Receipt is acknowledged of a certified copy of the 2000-372072 (JAPAN) application referred to in the oath or declaration or in an application data sheet.

The effective date of the subject matter claimed in this application is December 6, 2000.

Allowable Subject Matter

The indicated allowability of claims 27-32 is withdrawn in view of the newly discovered reference(s) to Akamatsu et al. (US Publication 20020044764) submitted in the IDS submitted on 06/05/2006. Rejections based on the newly cited reference(s) are shown below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-7,9-13, 15-20, and 27-31 rejected under 35 U.S.C. 103(a) as being unpatentable over Akamatsu et al. (US Publication 2002004764) in view of Kanda (US Patent 6137943).

Akamatsu disclosed (re. Claim 1) a plurality of timer modules in target apparatuses connected to each other on a network, the time managing apparatus comprising:

a presetting information receiving means for receiving from outside, presetting information which contains as a pair, (i) event start time information that indicates an event start time at which one or more events should be started by two or more target apparatuses on the network, (Akamatsu-Paragraph 117, Paragraph 163) and (ii) a module identifier that identifies, as an output source of a standard time, (Akamatsu – Paragraph 296) one of the plurality of timer modules in the target apparatuses, and further contains, for each event, two or more apparatus identifiers for two or more target apparatuses on the network, that should execute the event;

a holding means for holding the presetting information received by the presetting information receiving means; (Akamatsu-Paragraph 163)

a time requesting means for requesting a timer module, which is identified by the module identifier held by the holding means, to transmit a standard time; (Akamatsu-Paragraph 293)

a time receiving means for receiving the standard time (Akamatsu-Paragraph 304), from the timer module requested by the time requesting means to transmit the standard time;

a judging means for judging whether the event start time is reached, (Akamatsu-Paragraph 164) by comparing the standard time received by the time receiving means with the event start time indicated by the event start time information held by the holding means; and

an instructing means for, when the judging means judges that the event start time is reached, identifying the two or more target apparatuses by one or more apparatus identifiers held by the holding means and transmitting triggers (Akamatsu-Paragraph 114) to each of the two or more target apparatuses (Akamatsu-Paragraph 164).

However Akamatsu did not disclose (re. Claim 1) wherein each of the two or more target apparatuses start executing the one or more events simultaneously.

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Kanda disclosed (re. Claim 1) wherein each of the two or more target apparatuses start executing the one or more events simultaneously. (Kanda-Column 2 Lines 35-40)

Akamatsu and Kanda are analogous art because they present concepts and practices regarding control of AV devices for recording broadcast events. At the time of the invention it would have been obvious to combine Kanda into Akamatsu, such that Akamatsu is able to operate two devices simultaneously. The motivation for said combination would have been, as Kanda suggests (Kanda-Column 12 Lines 40-50), to provide recording apparatus capable of reliable recording.

Akamatsu-Kanda disclosed (re. Claim 4) wherein the presetting information, received by the information receiving means and held by the holding means, further contains, for each event, event type information indicating an event type (Akamatsu-Paragraph 117, Paragraph 163)

when the judging means judges that the event start time is reached, the instructing means transmits pieces of event type information (Akamatsu-Paragraph 114) which, held by the holding means, corresponds to the one or more events to apparatuses having apparatus identifiers corresponding to the one or more events, so that the apparatuses start executing the one or more events simultaneously.

Akamatsu-Kanda disclosed (re. Claim 5) a module identifier storage means for storing module identifiers (Akamatsu-Paragraph 114) by correlating the module identifiers with at least one of event type information and apparatus identifiers, the module identifiers being received by the information receiving means together with the presetting information, wherein

if the information receiving means receives at least one of a piece of event type information and an apparatus identifier together with the presetting information, without receiving a module identifier, the information receiving means searches (Akamatsu-Paragraph 299 thru Paragraph 300) the module identifier storage means for a module identifier that correlates with the received piece of event type information and/or apparatus identifier, and if the information receiving means finds such a module identifier, the information receiving means allows the found module identifier to be selected automatically.

Claim 6 is rejected on the same basis as Claim 1.

Claim 7 is rejected on the same basis as Claim 4.

Claim 9 is rejected on the same basis as Claim 5.

Claims 10-14 describe an apparatus with the same limitations as Claims 1-9.

Claims 10-14 are rejected on the same basis as Claims 1-9.

Claims 15-20 describe a method with the same limitations as Claims 1-9. Claims 10-14 are rejected on the same basis as Claims 1-9.

Claims 27-32 describe an apparatus comprising a machine readable medium with the same limitations as Claims 1-9. Claims 10-14 are rejected on the same basis as Claims 1-9.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14,32 rejected under 35 U.S.C. 103(a) as being unpatentable over Akamatsu et al. (US Publication 2002004764) in view of Kanda (US Patent 6137943) further in view of Schneidewend (US Patent 6529526).

While Akamatsu-Kanda substantially disclosed Claims 14, Akamatsu-Kanda did not disclose a time difference calculating means for calculating a time difference between the local time received from the time clocking means and the standard time received by the presetting information receiving means, and acquiring a corrected time by correcting the received local time using the time difference.

Schneidewend disclosed (re. Claim 14) a time difference calculating means for calculating a time difference between the local time received from the time clocking means and the standard time received by the presetting information receiving means (Schneidewend-Column 6 Lines 30-65) and using an offset value to adjust the time.

Akamatsu, Kanda, and Schneidewend are analogous art because they present concepts and practices regarding control of AV devices for recording broadcast events. At the time of the invention it would have been obvious to combine Schneidewend into Akamatsu-Kanda, such that Akamatsu-Kanda. The motivation for said combination would have been, as Schneidewend suggests (Schneidewend-Column 5 Lines 15-30), to provide recording apparatus capable of reliable recording.

Claim 32 is rejected on the same basis as Claim 14.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part

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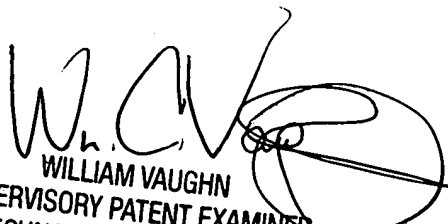
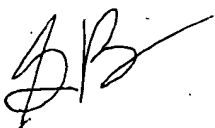
of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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